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PGT/PG&E and Altamont Natural Gas Pipeline Projects Final Environmental Impact Statement

Comments/Responses

Errata

U.S. Federal Energy Regulatory Commission
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Washington, D.C. 20426

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UNITED STATES OF AMERICA
FEDERAL ENERGY REGULATORY COMMISSION

Pacific Gas Transmission Company) Docket No. CP89-460-001

Altamont Gas Transmission Company) Docket No. CP90-1375-000

NOTICE OF AVAILABILITY OF AN ERRATA TO THE FINAL ENVIRONMENTAL IMPACT STATEMENT FOR THE PGT/PG&E EXPANSION - ALTAMONT NATURAL GAS PIPELINE PROJECTS

(June 7, 1991)

Notice is hereby given that the staff of the Federal Energy Regulatory Commission (FERC) has made available an errata to the final environmental impact statement (FEIS) on the natural gas pipeline facilities proposed in the above-referenced dockets, which was issued on May 24, 1991.

The errata contains two letters of comment on the draft environmental impact statement, and the staff's responses, which should have been published as part of the FEIS. One comment letter, from Mr. Tom Bell, was inadvertently excluded from the "Groups and Individuals" portion of the Comments/Responses Volume. The other letter, from the U.S. Environmental Protection Agency, was partially published and responded to in the "Federal Agencies" portion of the Comments/Responses Volume. This letter is being republished in its entirety.

The errata to the FEIS is available for public inspection in the FERC's Division of Public Information, Room 3104, 941 North Capitol Street, N.E., Washington, DC 20426. Copies have been mailed to all agencies, groups and individuals who received the FEIS.

Copies of the errata are also available from Mr. Mark C. Kalpin, PGT/PG&E Expansion Project Manager, or Mr. Laurence J. Sauter, Jr., Altamont Project Manager. Messrs. Kalpin and Sauter can be reached either at (202) 208-0918 or (202) 208-0205.

Lois D. Cashell

Lois D. Cashell,
Secretary

ORIGINAL

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
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San Francisco, Ca. 94105

15 MAR 1991

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Lois D. Cashell, Secretary
Federal Energy Regulatory Commission
825 North Capitol Street, N.E.
Washington, D.C. 20426

RE: Docket Nos. CP89-460-001 and CP90-1375-000)

Dear Ms. Cashell:

The Environmental Protection Agency (EPA) has reviewed the draft environmental impact statement (DEIS) for the PGT/PG&E and Altamont Natural Gas Pipeline Projects pursuant to the National Environmental Policy Act (NEPA) and section 309 of the Clean Air Act. Detailed comments are enclosed reflecting the concerns of EPA Regions VIII, IX, and X.

The PGT/PG&E pipeline would include the construction of 845 miles of new pipeline and the expansion of numerous compressor stations. This $1.18 billion dollar project would connect to the Alberta Natural Gas Company, Ltd. (ANG) pipeline at Kingsgate, British Columbia and deliver gas to PGT/PG&E from fields located in British Columbia and Alberta. Gas would be delivered to PGT facilities in Idaho, Washington, and Oregon, and PG&E facilities as far south as Fresno County, California. The DEIS states that the environmental impacts of the ANG project are beyond the scope of analysis.

The Altamont pipeline would include the construction of 620 miles of pipeline crossing the U.S./Canada border near Wild Horse, Montana and running to Opal, Wyoming. The Altamont pipeline connects to the Kern River/Mojave pipeline at Opal that delivers gas to Southern California. Although a majority of Altamont's capacity is expected to use Canadian gas from the Albertan NOVA Corp., the ultimate origin of the gas would be determined later. The cost of this pipeline is an estimated $573.4 million dollars. At least four alternative projects meet the FERC screening criteria for supplying all or most of the natural gas needed for California.

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[United States Environmental Protection Agency, San Francisco, California]

Project impacts include a variety of significant effects attributable to the large geographic scope of the proposed pipeline project. For example, the proposed pipeline alignments would cross: 302 acres of wetlands; 463 perennial and intermittent streams; 26 major rivers; 5 waterbodies with contaminated sediments; 38 recreation fisheries; 31 fishery spawning areas; and 18 anadromous fisheries. In addition, it is projected to potentially affect 31 threatened and endangered species and to disturb large acreages of forested land, sensitive soil areas, farmland, and wildlife habitat. Compressor stations and venting could contribute to air quality degradation. Several hundred significant cultural resource sites would also be crossed.

FA14-1 EPA has rated this document EO-2 (Environmental Objections, Insufficient Information) because of the aforementioned significant impacts and the lack of specificity in the overall impact analysis and proposed mitigation measures. EPA has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative.

FA14-2 In the DEIS the FERC staff identifies the need to develop several pieces of information, including alignment alternatives, site-specific impact analyses, and mitigation programs which should have been made available in the DEIS for public review and comment. The absence of definitive information in the DEIS makes it difficult to assess the full impact of and potential alternatives to the proposed project.

FA14-3 The DEIS indicates that significant impacts, such as those attributable to PGT's proposed route through the Moyie River valley, would occur to sensitive wildlife species, wetland areas, visual resources, cultural resources, and recreational users. The DEIS further indicates that the proposed route would increase the likelihood of significant cumulative impacts to water quality and coldwater fisheries. Other fishery, wetland, and water quality impacts could occur. It does not appear that the proposed alignment would comply with the Clean Water Act section 404(b)(1) Guidelines for the disposal of dredged or fill material. EPA recommends the selection of a pipeline realignment capable of avoiding identified impacts to the greatest extent possible. Mitigation for remaining impacts should be identified in the FEIS.

FA14-1 Thank you for your comment. The staff utilized the best available information in evaluating potential impact associated with the construction of both projects, and has concluded that its recommended mitigation measures would minimize or eliminate the majority of significant impacts identified.

FA14-2 Additional information has been included in the final environmental impact statement (FEIS).

FA14-3 Please see the FEIS: Chapters 3C, 3E, 3L, 3M, 4C, 4E, 4L, 4M, 5, and 6, and Appendix F for a further discussion of impact on the Moyie River Valley. These chapters discuss impact associated with construction along the Moyie River proposed route and the Camp Nine Alternative, and evaluate a detailed mitigation plan proposed by PGT. Based on the discussion contained in the FEIS, the staff concludes that impact on waters of the U.S. would be minimized to the maximum extent practicable, as required by Section 404(b)(1) Guidelines.

Thank you for the opportunity to review this DEIS. Please send three copies of the FEIS to this office, the Region VIII office, and the Region X office at the same time that it is filed with our Washington, D.C. headquarters. If you have any questions, please do not hesitate to contact me at FTS 484-1510, or your staff may contact Jacqueline Wyland at FTS 484-1584.

Sincerely,

Jacqueline Wyland

for Deanna M. Wieman
Director, Office of External Affairs

cc: Dick Sanderson, EPA HQs
Gene Kersey, EPA Region VIII
Sally Brough, EPA Region X
USFWS, Portland
USFWS, Sacramento
COE, South Pacific Division, San Francisco
COE, Omaha District
NMFS, Santa Rosa
CEQ, Dinah Bear

I. NEPA ISSUES

A. Integration of NEPA into the Decision-making Process

FA14-4 EPA is very concerned with the "phased" approval process that the Federal Energy Regulatory Commission (FERC) has applied to the Altamont portion of this project in that it appears to be at variance with NEPA's intent to integrate environmental considerations into the Federal decision-making process. The issuance of a preliminary favorable determination resolving all regulatory issues other than environmental impacts prior to the completion of the NEPA process raises questions regarding whether FERC is failing to take a "hard look" at environmental impacts prior to initiating a major federal action with the potential to significantly affect the environment ("Preliminary Determination on Non-environmental Issues, Dckt. No. CP90-1375-000, 1/17/91).

FA14-5 In this case the situation is of great concern, since the DEIS contains insufficient information on which to base an informed decision about the environmental effects of the project. Throughout the document, the FERC staff identifies additional environmental analyses and mitigation measures which are lacking but needed to ensure full consideration of the environmental effects of this action. Examples include site-specific impact studies, spill control programs, groundwater monitoring programs, and analyses required to demonstrate compliance with environmental statutes such as the Clean Air and Clean Water Act for permitting purposes. This is information which should have been included in the DEIS in order to provide an opportunity for public review and comment. We are concerned that this information may not be fully disclosed in the FEIS. The insufficient treatment of environmental issues runs counter to NEPA's emphasis on public disclosure of potential environmental impacts.

FA14-6 Of additional concern is the fact that, in the field, local, state and federal resource agencies are discovering that the "preliminary determination" on approval of the pipeline has in some cases effectively encouraged project co-applicants to proceed with project construction prior to completion of the NEPA process and without regard for full compliance with environmental statutes. These instances provide evidence of the environmental damage risked in the absence of adherence to the NEPA process by a lead federal agency.

FA14-7 For these reasons, should FERC choose to select a pipeline construction alternative, we strongly encourage conditioning project approval with effective environmental mitigation requirements. The conditioning of project approval is the approach

FA14-4 The Commission's Preliminary Determinations do not "approve" pipelines. Thus, construction cannot commence until a Final Order is issued by the Commission. It is a mechanism where the non-environmental issues can be "aired" early on and resolved by the time the more lengthy environmental phase of the case is concluded. In this manner, both the environmental and non-environmental phases can be accomplished concurrently rather than sequentially. This phased approach promotes administrative efficiency and ensures timely and effective consideration of potential certificates. Also, as evidenced in both of the Preliminary Determinations and this FEIS, the Commission's ultimate decision does not prejudice the examination of alternatives and route variations.

FA14-5 As stated in our response to Comment FA14-2, additional information has been included in the FEIS. Spill prevention/control and groundwater monitoring programs are presented in sufficient detail to ensure "full consideration" of the environmental effects of the proposals addressed in the EIS.

FA14-6 As stated in our response to Comment FA14-4, Preliminary Determinations do not "approve" pipelines. Thus, construction cannot commence as alleged in this comment. If EPA can identify any specific instances where construction has commenced prior to issuance of a Final Order, the staff shall investigate them.

FA14-7 As stated on pages 6-3 and 6-27 of the FEIS, we are recommending that the mitigation measures presented in Chapter 6 be attached as conditions to any certificate(s) issued by the Commission. The implementation and approval mechanisms are identified in the mitigation measures themselves.

FA14-7 (cont.) recommended by the FERC staff. Our review indicates that in most cases, FERC staff have identified the impact categories requiring particular mitigation procedures, but EPA believes that these procedures need to be much better defined and made more protective of environmental resources through coordination with the appropriate local, state, and federal resource agencies. We recommend that the FEIS describe how conditions would be implemented and identify approval with conditions as the preferred action alternative.

B. Alternatives Analysis

FA14-8 The FEIS should examine in greater detail potential alignment alternatives for the length of the proposed right-of-ways under consideration. The DEIS states that "alternative pipeline alignments were identified and evaluated where construction of either project would result in residual significant impacts on environmental resources, even after the implementation of our conventional mitigation measures, and where reasonable alternative routes were available (S-31)." However, this process is not documented in the DEIS, and would prove inappropriate for impacts to resources such as wetlands, where effects without mitigation must first be taken into account.

FA14-9 Presently, the "system" alternatives under consideration are limited to those which satisfy four criteria established by FERC. These criteria include that the alternative must have an application filed with FERC. The FEIS should demonstrate that these criteria do not effectively narrow potential alternatives such that impacts may not be avoided.

FA14-10 The draft environmental impact statement (DEIS) indicates that two alignment alternatives have been considered for the PGT portion of the pipeline. One preliminary alternative route is in Idaho and is called the "Camp Nine Alternative". The existing PGT pipeline crosses the Moyie River at eight locations. The Moyie River has been designated as "special resource waters" by the State of Idaho and it has high water quality. The Camp Nine alternative route would eliminate six crossings of the Moyie River.

FA14-11 The second preliminary alignment alternative is located in Oregon on the John Day River. PGT acknowledges that the existing pipeline route crosses an area in the John Day Canyon that has steep slopes; therefore slope stability and pipeline integrity are of concern. PGT has proposed the John Day Canyon Variation (JDV) to try to avoid some of the problems associated with the existing pipeline route. However, the JDV alignment still

FA14-8 We disagree. The draft environmental impact statement (DEIS) examined a reasonable range of alternative alignments where potentially significant impacts would be anticipated. Examples of alternative alignments include the Camp Nine and Hannafin Canyon Alternatives, the four South Pass Route Variations, and smaller alternative alignments at Ross Fork Creek, East Fork Roberts Creek, Kirby Creek, Little Sandy Creek, and the site of the proposed Rapelje Compressor Station. For projects of the magnitude as those addressed in this EIS, the level of effort expended on the identification and evaluation of reasonable alternative alignments, as required by NEPA, was entirely appropriate.

FA14-9 One of the purposes of an EIS is to study reasonable and prudent system alternatives, not system alternatives based on speculation. We do not feel that our criteria limited the field of reasonable alternatives. The staff in fact did not exercise this criteria stringently; for example, while the APEX Project System Alternative and the Integrated Intrastate System Alternative were not filed before the FERC, the staff still listed and examined them as system alternatives.

FA14-10 Please see response to Comment FA14-3.

FA14-11 Please see Chapter 2 of the FEIS for a discussion of potential alternative pipeline alignments in the vicinity of the John Day Canyon, and Chapters 4A and 6 of the FEIS for a discussion of potential mitigation in this area.

crosses steep terrain in the Hannafin Canyon area and the slope instability and pipeline integrity concerns are not resolved. A second alignment variation, Hannafin Canyon Alternative, has been proposed by FERC.

FA14-12 The DEIS states that these two alternative routes, Camp Nine and Hannafin Canyon, have not been developed and fully analyzed in order to determine if they offer an environmentally preferable alternative to the existing pipeline routes in these two specific areas. We strongly suggest that these two alternatives should be fully developed, analyzed, and presented in the FEIS. Protection of the high water quality in the Moyie River and the serious concern about pipeline integrity on steep slopes warrant additional alternatives analysis.

II. **WATER RESOURCES**

A. Water Quality

FA14-13 1. The FEIS should demonstrate that for each affected waterbody that the project would comply with relevant EPA-approved State water quality standards and beneficial uses. In addition, an Antidegradation analysis, as specified in the Antidegradation Policy [40 CFR 131.12] (see enclosed guidance and information) should be included in the FEIS. This policy was developed to achieve the goals of the Clean Water Act (CWA), which are to restore and maintain the chemical, physical and, biological integrity of the nation's waters. The Antidegradation Policy prescribes the following.

* No activity is allowable which would partially or completely eliminate any existing beneficial use of a waterbody, whether or not that use is designated in a state's water quality standards.

* In such a circumstance, the planned activity must be avoided or adequate mitigation/preventive measures must be taken to ensure that the existing uses and the water quality to protect those uses will be fully maintained.

FA14-14 2. EPA believes that the proposed project could degrade water quality such that recreational activities and fisheries would not be fully maintained. Therefore, in accordance with 131.12(a)(2), if any degradation of water quality in "high quality waters" is expected to occur, there must be:

FA14-12 Please see response to Comments FA14-3 and FA14-11.

FA14-13 The staff believes that the detailed demonstration of compliance with the relevant EPA-approved State water quality standards is best addressed during the State's Section 401 Water Quality Certification review process, and is beyond the scope of this EIS. However, the staff notes that potential impacts on water quality and aquatic life are addressed in detail in Chapters 3C, 3F, 4C, and 4F of the EIS, and that the majority of these impacts would be minor and temporary in nature.

FA14-14 The staff disagrees that recreational activities and fisheries would not be fully maintained. Please see Chapters 4C and 4F of the EIS for a detailed analysis of potential impacts.

- a finding that such degradation is necessary to accommodate important economic or social devolopment in the area in which the waters are located;

- full satisfaction of all intergovernmental coordination and public participation provisions; and

- assurance that the highest statutory and regulatory requirements and best management practices for pollutant controls are achieved.

This provision is intended to provide relief only in extraordinary circumstances where the economic and social need for the activity clearly outweighs the benefit of maintaining water quality above that required for "fishable/swimmable" water, when both cannot be achieved. The burden of demonstration on the party proposing such activity is very high. In any case, the activity shall not preclude the maintenance of a "fishable/swimming" level of water quality protection.

FA14-15 3. The Moyie River should be considered a high quality water and 2) above would apply. The John Day, Crooked, and Lost Rivers may be water quality limited by the time the FEIS is completed. Oregon will pass antidegradation provisions this summer. The proposed antidegradation language for Oregon addresses water quality limited waters separately. The proposed provisions are presented below for consideration in the preparation of the FEIS.

The new or increased load shall not be granted unless:

- the pollutant parameters associated with the proposed discharge are unrelated to the parameter(s) causing the water quality limited designation;

- TMDL and compliance plans have been established; and there will be sufficient reserve capacity to assimilate the increased load under the established TMDL; and

- Under extraordinary circumstances to solve an existing, immediate and critical environmental problem but only if a TMDL has been set, that an evaluation of the increased load shows that it will not have an unacceptable adverse effect on beneficial uses, and that the load will be temporary.

B. Groundwater

FA14-15 The staff agrees with the commentor that the Moyie River is a high quality waterbody, and has addressed potential impacts on this waterbody, and the mitigation of these impacts, in detail in the EIS. Please see Chapters 4C and 4F, and Appendix F. In addition, potential impacts on the John Day River, Crooked River, and Lost River have also been addressed in detail in the EIS.

FA14-16 The DEIS identifies susceptible aquifers along the pipeline route and generally describes the construction hazards to those aquifers. However, we think that the FEIS should emphasize the susceptibility of the Spokane Valley-Rathdrum Prairie Aquifer to adverse impacts. The unsaturated zone above the water table consists almost entirely of gravel, cobbles, and boulders, and thus provides little attenuation of contaminants released upon the land surface. Ground-water movement within the aquifer is extremely rapid (more than 20 feet per day in places), and so contaminants can readily reach water supply wells long distances from the point of a spill. Accordingly, the groundwater construction mitigation measures described in the FEIS should include the following.

* No refueling or major vehicle maintenance within 1 mile up gradient of a public water supply well, and as far from any water supply well as practical.

* Immediate consultation with Stanley Miller, Ground-water Quality Program Manager for Spokane County, and Kenneth Lustig, Director of Environmental Health for the Panhandle Health District.

* Adherence to all local and state aquifer protection measures, and any construction practice guidelines offered by local or state agencies.

C. Section 404 of the Clean Water Act

1. General Comments

FA14-17 a. Wetlands are significant environmental resources that provide a wide range of important functions and values. Wetland resources have experienced severe cumulative losses nationally. For these reasons protection of wetlands is a top priority of EPA. Wetlands in the project area should be identified and delineated consistent with the Federal Manual for Identifying and Delineating Jurisdictional Wetlands. Wetlands delineations should be followed by a functional assessment to determine the extent and magnitude of existing wetland resources. Any special features such as rare or unique habitats should receive special emphasis. Please note that given the wide expanse of the project area, a broad variety of wetland types are bound to be affected by the proposed pipeline. The FEIS assessment of wetland impacts and proposed mitigation measures should acknowledge the extent resource diversity.

FA14-16 Thank you for this information. The staff believes that the mitigation measures recommended in Chapters 4C and 6 are sufficient to prevent the occurrence of significant impact on this resource.

FA14-17 Thank you for your comment. Staff's recommended "Stream and Wetland Construction and Mitigation Procedures" (Procedures), contained in Appendix C-3 of the EIS, require the project sponsor to delineate all wetlands (using Federal Methodology) prior to construction. While functional analyses may be required by the appropriate permitting agency (i.e., the Corps of Engineers) prior to construction, the staff believes that the information presented and analyzed in Chapters 3E and 4E of the EIS is sufficient to fulfill the requirements of NEPA.

FA14-18 b. EPA does not concur with the DEIS's finding that the proposed project would not significantly adversely affect wetlands and waters of the U.S. We also do not agree with the DEIS's statement that the "Stream and Wetland Construction and Mitigation Procedures," as defined in Appendix C-3, ensure that impacts would be temporary and minor and prevent the filling an loss of any wetland acreage. FA14-19 The DEIS fails to provide an analysis demonstrating that the 404(b)(1) Guidelines have been taken into account in pipeline planning.

FA14-20 c. The FEIS should analyze alignment alternatives for the entire extent of the proposed projects in order to ensure that wetlands and waters of the U.S. are avoided to the maximum extent practicable. This approach is required to comply with the the Guidelines since only the least-damaging practicable alignment alternative would be permittable. The FERC should include site-specific details regarding the extent of unavoidable impacts attributable to pipeline construction in the FEIS and submit this information to the appropriate U.S. Army Corps of Engineers Districts and EPA regional offices [illegible] view.

d. For those wetland impacts [illegible] are unavoidable, we recommend that a detailed compensation plan be developed and included in the FEIS. The compensation plan should include consideration of both direct, indirect, and cumulative effects. It should contain a statement of goals, a monitoring element, long-term management/protection objectives and a contingency plan (a commitment to conduct additional work if required to meet the goals of the plan). FA14-21 The plan should also include mitigation measures intended to prevent or reduce water quality impacts. Compensation must be provided for wetlands degraded by incidental or intentional use.

FA14-22 e. EPA believes that the significant cumulative impacts associated with this project would render most permitting applications inappropriate for authorization pursuant to nationwide permits 12, 13 and 14. All impacts to waters of the U.S. should be fully identified and included for permitting as part of an individual 404 permitting action.

FA14-23 f. Please note that the California Public Utilities Commission Environmental Impact Report prepared pursuant to the California Environmental Quality Act (CEQA) incorporated by reference into this DEIS similarly lacked information necessary to determine the degree of impacts to Californian waters of the U.S. and compliance with the 404(b)(1) Guidelines. The FEIS should include a more detailed description of impacts to Californian wetland and waters of the U.S. resources and demonstrate compliance with the Guidelines for activities proposed in the state.

FA14-18 Thank you for your comment. The staff, based on its extensive experience and actual field review of natural gas pipeline projects which were constructed in accordance with the Procedures contained in Appendix C-3 of the EIS, stands by its conclusions.

FA14-19 Chapter 4E of the EIS clearly states that the construction of the proposed projects is authorized under the Corps of Engineers (COE) Nationwide Section 404 Permit Program, and notes that the COE has not taken discretionary authority over either project or informed the staff that it would require an individual Section 404 permit for either project. As such, the Section 404(b)(1) Guidelines are inapplicable (see 40 CFR 230.5 (b)). In addition, despite numerous consultations between the COE and the staff, the COE has not requested that a Section 404(b)(1) Guidelines Analysis be included in the EIS.

FA14-20 The DEIS utilized an interdisciplinary approach to identify and evaluate a reasonable range of alternatives to the proposed projects, as required by the Council on Environmental Quality's (CEQ) regulations implementing NEPA. In addition, the DEIS clearly identified several areas where alternative alignments were necessary to minimize or eliminate impacts on waters on the U.S. Please see response to Comment FA14-19.

FA14-21 Staff has developed and recommended mitigation measures to ensure that impacts on riparian areas, wetlands, and other waters of the U.S. are minimized to the maximum extent practicable (see Appendix C-3). The staff is unaware of any provision in NEPA which imposes a substantive duty on Federal agencies to take action to compensate for impacts associated with agency action, as commentor suggests (see Robertson v. Methow Valley Citizens Council, _ U.S. _ (1989)).

FA14-22 Thank you for your comment. As previously noted, the staff has had numerous discussions with the COE regarding the applicability of the Nationwide Section 404 Permit Program to the proposed projects, and the COE has not informed the staff that the COE intends to utilize its discretionary authority to require individual Section 404 permits for either project.

FA14-23 Please see response to Comments FA14-18, FA14-19, and FA14-20.

FA14-24 g. It is the responsibility of FERC and the project applicant to demonstrate compliance with the 404(b)(1) Guidelines. In contrast to the statement on page 4E-8, in the event that individual section 404 permits are required, it is the permit applicant and the FERC, not the Corps of Engineers (COE), who would be responsible for providing a 404(b)(1) analysis. We recommend inclusion of project 404(b)(1) analyses as appendices to the FEIS. The COE and EPA are responsible for reviewing these analyses to determine if they comply with the criteria contained in the Guidelines summarized below.

2. Impact Analysis.

The DEIS estimates that wetland impacts attributable to the two projects combined would affect 302 acres of wetland impacts. The DEIS does not clarify the means of quantifying project impacts. It states that the estimate for the PGT/PG&E project may be low while the estimate for the Altamont project may be high. FA14-25 The FEIS should describe in detail the methods used to determine wetland acreages. The FEIS should describe the precise areas subject to unavoidable impacts, including aerial acreage, location and a description of local functions and values. FA14-26 The FERC should coordinate with the U.S. Army Corps of Engineers to determine the amount of area within their jurisdiction as waters of the U.S.

FA14-27 As mentioned above, the DEIS maintains in several places that the proposed pipeline construction project would have no long-term effects on wetlands. This claim is contradicted throughout the document where potential long-term wetland impacts associated with filling along the proposed right-of-way are identified. Examples include: increased long-term siltation, turbidity, and soil compaction in wetland areas; the permanent alteration of local hydrology and the draining of perched water tables presently supporting wetland vegetation; the grading, clearing and long-term suppression of wetland vegetation along pipeline right-of-ways; and the alteration of the erosion and flood control capabilities of affected wetlands (4E-8). All of these effects suggest that permanent losses of functions and values of waters of the U.S. would be sustained as part of the construction activities proposed.

FA14-28 The FEIS should describe these impacts in a more detailed, site-specific manner. In addition, please note that section 404 requires applicants to evaluate and avoid impacts to waters of the U.S. before taking into consideration the effects of poten-

FA14-24 The staff agrees with commentor's statement that the COE may require the project sponsor to include sufficient information in its individual Section 404 permit application to enable the COE to determine compliance with the Section 404(b)(1) Guidelines (see 33 CFR 325.1(e)). However, as the staff has previously noted, the COE has not informed the staff that an individual Section 404 permit would be required for either project.

FA14-25 The staff utilized the best available information to identify the occurrence of wetlands and evaluate potential impacts. Please see Chapters 3E and 4E of the FEIS.

FA14-26 The staff has coordinated in detail with the COE regarding the proposed projects. As previously stated, the COE has not determined that an individual Section 404 permit would be required for either project.

FA14-27 The DEIS states that while the majority of impact on wetland areas would be of a temporary and minor nature, several impacts, such as the clearing of woody vegetation, would be long-term. Further, the staff notes that the section of the DEIS which the commentor refers to discusses generic wetland impacts prior to the implementation of the staff's recommended Procedures. Implementation of these Procedures would ensure that no wetlands would be filled or drained, and that no wetland functional values would be permanently lost.

FA14-28 See response to Comments FA14-24 and FA14-26.

FA14-28 (cont.) tial mitigation measures (as clarified in the MOA between EPA and the Department of Army "Concerning the Determination of Mitigation Under the Clean Water Act Section 404(b)(1) Guidelines").

2. Alternatives Analysis [40 CFR 230.10(a)].

FA14-29 The DEIS fails to conduct a thorough alternatives analysis pursuant to the Guidelines. The DEIS states that "a major consideration was the extent to which we were able to recommend modifications to the proposed pipeline alignments or develop mitigation which minimized impacts on wetlands...(S-31)," and yet contains no documentation regarding this process. This analysis should be disclosed in detail in the FEIS.

FA14-30 The DEIS does evaluate alignment alternatives for specific segments of the pipeline project, but not apparently on the basis of avoiding impacts to wetlands.

a. Although not discussed in detail, the selection of a Moyie River Valley alternative which eliminates 6 of the originally 8 proposed river crossings may well significantly reduce wetland impacts. The FEIS should compare the relative impacts to wetlands and waters of the U.S. of the two alternatives.

b. South Pass Variations. The Jeffrey City variation appears to impact the smallest acreage of wetlands (28.6 acres) followed by the Alkali Butte variation (29.3 acres) in comparison to the proposed route (36.5 acres). The Jeffrey City and Alkali Butte alternatives also appear to cross the fewest streams and spawning areas, follow an existing right-of-way to a greater extent, and eliminate the preferred alternative's land use conflict. Under the Guidelines, the Jeffrey City alternative would be a less-damaging practicable alternative to the proposed route.

c. No analyses are provided regarding the relative wetland impacts of the following identified project route variations. For the PGT/PG&E project: John Day River Canyon, Jepson Prairie Reserve, and San Joaquin West. For the Altamont Project: West Route, Middle Route, East Route. The FEIS should include this analysis.

d. The FEIS should include a map of the entire project alignment indicating the location of potential alternative alignments.

FA14-29	Please see response to Comments FA14-8, FA14-19 and FA14-20.
FA14-30	Please see response to Comment FA14-20.

e. The FEIS should address how FERC has ensured that the entire alignment for both projects may be demonstrated to be the least-damaging practicable alternative. It is inappropriate for the FERC to focus on construction procedure alternatives alone, as done in the DEIS (4E-8).

3. Endangered Species and State Water Quality Certification [40 CFR 230.10(b)].

FA14-31 The FEIS should discuss whether or not proposed activities requiring authorization pursuant to section 404 would jeopardize any federally-listed threatened or endangered species and comply with relevant State water quality standards. Impacts to candidate species should also be included as these species may later be listed during the permitting process.

4. Significant Degradation [40 CFR 230.10(c)].

FA14-32 The FEIS should demonstrate that the proposed discharges would not cause or contribute to significant degradation of the aquatic ecosystem. It is not clear what the DEIS means when it qualifies this requirement with the phrase "as demonstrated by chemical testing (4E-9)."

5. Mitigation [40 CFR 230.10(d)].

a. Review of Proposed "Stream and Wetland Construction and Mitigation Measures."

EPA supports the development of a mitigation program for this project capable of avoiding impacts to waters of the U.S. However, it is not clear that the proposed mitigation measures would ensure protection of these resources. Further, these procedures should include guidance regarding the development of site-specific compensatory mitigation for unavoidable impacts.

FA14-33 i. The mitigation procedures need to acknowledge variations in site-specific conditions. In some cases, measured distances from streambanks may not ensure that activities do not occur in waters of the U.S. In addition, it is important for restoration and revegetation work to be done using local native species.

FA14-34 ii. Spoil discharges: a 10' distance from a streambank may still result in the placement of spoils in waters of the U.S. The mitigation procedures should be drafted to ensure that spoils would be prevented from entering waters of the U.S through runoff or siltation.

FA14-31 Potential impact on Federal-listed species is discussed in Chapters 4E and 4F of the FEIS. See also response to Comment FA14-13 above.

FA14-32 The phrase "as demonstrated by chemical testing" refers to appropriate methodology which may enable the permitting authority (i.e., the COE) to determine whether any of the criteria set forth in 40 CFR 230.10(c)(1) - (4) are met.

FA14-33 The Procedures contained in Appendix C-3 are flexible in that they allow the project applicant to seek approval from the staff to deviate from their requirements in order to take site-specific conditions into account. In addition, the Procedures specifically require the reestablishment of native herbaceous and woody vegetation on disturbed streambanks and in wetlands. Finally, the staff notes that construction of a linear project across either a stream or wetland necessitates that some construction-related activities occur within waters of the U.S.

FA14-34 The Procedures contained in Appendix C-3 of the EIS contain provisions to ensure that the amount of sediment entering waters of the U.S. from spoil piles is minimized to the maximum extent practicable.

FA14-35 iii. Bank stabilization/revegetation: The procedures provide for "allowing" native herbaceous and woody plant species to permanently revegetate the right-of-way in wetland areas. Appendix C-3 elaborates to say that this would mean leaving stumps of plants behind. The FEIS should clarify how effective this approach would be in light of long-term vegetation management planned for the right-of-way, and whether or not a more active revegetation approach may be required.

FA14-36 iv. Trench dewatering/hydrostatic testing: The procedures require that dewatering occur only in vegetated uplands. They should further require that measures are taken to ensure that off-site wetlands are not affected from run-off.

b. Need for Compensatory Mitigation for Unavoidable Impacts.

FA14-37 The DEIS demonstrates the potential for significant impacts to waters of the U.S. attributable to adoption of the proposed project. Once these impacts have been more clearly identified, the FERC should develop site-specific compensatory mitigation proposals to offset projected losses of acreage, functions and values attributable to activities requiring authorization under section 404 of the Clean Water Act. Monitoring plans and remediation measures should also be provided. This information should be included in the FEIS and submitted to the appropriate EPA regions and COE districts.

III. VEGETATION

Riparian Areas

FA14-38 EPA Region 10 has recently developed and signed a Riparian Area Management Policy. This policy establishes the EPA Region 10 policy on the management of riparian areas affected by non-point source activities. The numerous stream crossings in Idaho, Washington, and Oregon associated with this proposal will affect riparian vegetation. We are enclosing a copy of this policy for consideration in the development of the FEIS. The FEIS should expand the discussion of impacts to riparian vegetation and proposed mitigation to minimize adverse effects on riparian vegetation.

FA14-35 Long-term vegetative management of the permanent right-of-way is addressed in Appendix C-3, and would not significantly conflict with the reestablishment of native vegetation on streambanks and in wetlands. While many philosophies exist regarding the best manner in which to revegetate disturbed wetland areas, the staff believes that preservation of the wetland's existing seed and rootstock sources, coupled with natural revegetation, presents the highest probability that the wetland will revegetate with native plants that are specifically adapted to growth in that wetland.

FA14-36 Thank you for your comment. The staff believes that its recommended Procedures are adequate to minimize or eliminate adverse environmental impact on aquatic and wetland ecosystems.

FA14-37 Please see response to Comments FA14-18, FA14-21, FA14-22, and FA14-27.

FA14-38 Thank you for this information. Potential impact on riparian vegetation, as well as staff's recommended mitigation, is discussed in detail in Chapters 3E and 4E of both the DEIS and the FEIS.

IV. AIR QUALITY

FA14-39 1. The DEIS provides a cursory summary of emissions and potential maximum impacts. However, there is not enough detail or supporting material to determine if the analyses are technically correct or if the proposed equipment will meet the fundamental requirements of the PSD regulations. It is not sufficient to state that the existence of a regulatory program guarantees no significant impacts. The FEIS should demonstrate compliance for specific facilities.

FA14-40 2. The DEIS fails to indicate that prevention of significant deterioration (PSD) permits are currently required to be obtained from EPA for new and modified major sources of nitrogen oxides in Idaho, Oregon, and Washington (1-17, Table 1-4 and 4H-2). Since these states failed to adopt and submit revisions to their regulations in order to implement the new nitrogen dioxide increments as required, the EPA regulations have gone into effect. As such, an EPA PSD permit, in addition to state PSD permits, will be required for new or expanded compressor stations.

FA14-41 3. The DEIS references a supplemental environmental report on air quality which was not summarized in the DEIS or supplied to reviewing agencies (4H-2 to 4H-5). This report appears necessary in order to verify the emissions estimates and the claimed air quality impacts. The information presented in the DEIS is insufficient to determine whether or not the new gas-turbine units will employ the best available control technology (BACT) or whether the Class II PSD increments for nitrogen dioxide will be met. For example, the screening modeling shows that the modifications to the PGT Compressor Station No. 3 would violate the Class II NO2 increment.

FA14-42 4. EPA has been notified that project applicants in Clark County, CA have commenced construction of proposed facilities in advance of receiving an "authority to construct" required by the Clean Air Act. In addition, EPA is concerned that thus far the permit application does not appear to suggest compliance with the PSD requirements of the Clean Air Act. This example demonstrates the need for FERC to address facility-specific compliance issues in the FEIS and the risks of providing preliminary approvals to projects in advance of the environmental review process.

V. GEOLOGY

FA14-43 We are concerned with the insufficient level analysis of impacts provided in the geology section of the DEIS. The discussion of potential effects links the magnitude of the effect to

FA14-39 The staff utilized the best available information to determine potential air quality impacts associated with the construction and operation of the proposed compressor units. Detailed modeling will be conducted during the PSD-review process when exact equipment manufacturers and models have been selected by the project sponsors. Demonstration of compliance with a state's PSD permit program would be speculative at best, and as such is beyond the scope of this EIS. The purpose of this EIS is to fully disclose the potential for significant environmental impact to occur and to discuss potential mitigation; information which is fully developed and presented for air quality impacts in Chapters 3H and 4H of the DEIS and FEIS.

FA14-40 See response to Comment FA14-39.

FA14-41 The results of the referenced supplemental report were provided in the Chapter 4H of the DEIS. In addition, please see response to Comment FA14-39 above.

FA14-42 The staff is unaware of any facilities located in "Clark County, CA" which are related to the projects analyzed in this EIS. The staff notes, however, that PG&E's facilities in California are authorized and regulated by the California Public Utilities Commission, and not the FERC.

FA14-43 The staff disagrees with this comment. Chapter 4A of both the DEIS and FEIS accurately identify and evaluate the potential for reasonably foreseeable environmental impacts to occur due to geological events. The staff does not believe that the CEQ's Guidelines require an EIS to include the type of speculative "worst case" analysis that EPA desires.

FA14-43 (cont.) the probability of the effect occurring. This is inappropriate since a low probability event can have major effects. We agree that earthquakes, fault movement, liquefaction, etc, have a low probability of happening. However, the probability is not zero, therefore the impacts associated with these types of occurrences must be presented in the FEIS. The impacts will not necessarily be minor or insignificant.

VI. WILDLIFE

FA14-44 A. The DEIS states that impacts to wildlife attributable to effects on habitat are "less than significant" or "not significant" without supplying substantiating information. The FEIS should document the rationale used to support these statements, including relevant data and any related analyses.

For example, the DEIS's assessment of impacts to the Allen's 13-lined Ground Squirrel, a special-status wildlife species, indicates that mortality may be expected as a result of the proposed project. However, there is no estimate as to the present number of squirrels in the area, the potential rate of mortality, nor why any level of mortality would be acceptable for a species in this category.

FA14-45 B. The National Marine Fisheries Service (NMFS) has been petitioned to list several native runs of salmon in the Snake River drainage and the lower Columbia River as threatened or endangered species. The decision is expected this spring. We recommend that FERC coordinate closely with the NMFS if the decision is made to list any of the native runs that could be affected by any of the stream crossings associated with this proposal.

VII. CUMULATIVE IMPACTS

FA14-46 The FEIS should include a more comprehensive cumulative impacts analysis of development of pipeline right-of-ways than contained in the DEIS. This is an area of increasing concern to both EPA and the Council on Environmental Quality (CEQ). The affected EPA regions are experiencing increases in resources exploration and extractive activities, resulting in corridors of development spanning hundreds of miles and crossing local and state boundaries.

FA14-47 The FEIS should analyze the effects of past, present and proposed activities under the jurisdiction of different agencies in the same geographic area which may prove to be additive or in-

FA14-44 Chapter 4E of both the DEIS and FEIS sets forth the specific criteria that the staff applied to the data presented in Chapter 3E of the DEIS and FEIS in order to determine if impact on wildlife species was potentially significant. Detailed analyses of these impacts are presented in Chapter 4E of both the DEIS and FEIS.

FA14-45 Thank you for your concern. Construction of the proposed projects would not affect any of the Snake River/Columbia River drainage salmon runs currently under consideration by the NMFS for listing as endangered or threatened species.

FA14-46 Chapter 5 of the DEIS and FEIS presents a discussion of all reasonably foreseeable cumulative impacts that are associated with the construction and operation of the proposed projects, or that may occur in the vicinity of the proposed projects, as required by the CEQ's regulations. Speculative analyses of currently unknown "exploration and extractive activities" are beyond the scope of this EIS.

FA14-47 Please see Chapter 5 of the FEIS for a complete analysis of the incremental impact of the proposed projects in conjunction with other past, present, and reasonable foreseeable future actions in the project areas.

FA14-47 (cont.) teractive in nature. For example, the FEIS should address cumulative effects of corridor development in lands adjacent to BLM lands in Wyoming. This analysis should take into account cumulative impacts which may result from the combination of activities proposed for the BLM lands and the proposed project.

VIII. RESTORATION, MITIGATION, and MONITORING

FA14-48 A. The FEIS should provide a more detailed description in the FEIS of the duties and responsibilities of the "environmental inspectors" who would be assigned to Altamont project sites. This description should include proposed recording, monitoring, and reporting procedures, as well as how proposed mitigation measures would be developed and implemented. The FEIS should describe how coordination would take place with appropriate state, local and federal agencies.

FA14-49 B. Specific management plans should be designed for restoration problems identified in the project area by resources agencies and included in the FEIS. The project proponents should make formal commitments to adhere to these management plans. The question of liability needs to be addressed and the length of time during which proponents are responsible for remediating project-related impacts should be identified in the FEIS.

FA14-50 C. The FEIS should indicate how environmental effects of the proposed project on water, air and wildlife resources would be monitored, and what remedial measures would be implemented should monitoring detect unanticipated significant impacts.

FA14-51 D. We strongly recommend that FERC include the restoration, mitigation and monitoring measures required to ensure compliance with environmental statutes and avoid significant impacts as conditions to the approval of any proposed action. The FEIS should discuss how such conditions would be implemented and monitored.

FA14-48 Please see Appendices B-1 and C-3 of the FEIS for the requested information.

FA14-49 Please see Appendices B-5 and F of the FEIS for the requested information.

FA14-50 The staff believes that the FEIS fully discloses all reasonably foreseeable significant and less-than-significant impacts associated with the construction and operation of the proposed projects, as required by NEPA and CEQ regulations. As such, the analysis contained in the FEIS is sufficient to allow the Commission to make a reasoned and fully informed decision on the proposed projects, as required by NEPA. In addition, please see response to Comment FA14-21.

FA14-51 Thank you for your comment. Please see response to Comment FA14-7.

U.S. Environmental Protection Agency – Region 10

Riparian Area Management Policy

PURPOSE AND SCOPE

This document establishes Region 10 EPA policy on the management of riparian areas, primarily those affected by nonpoint source (NPS) activities. EPA recognizes that riparian areas serve many important functions and possess numerous values, including a major role in maintenance of the quality of the Nation's waters. The national intent of Congress to protect and improve the Nation's waters is established in the Clean Water Act[1]. Riparian areas can provide many uses, such as; recreation, forage, and timber. EPA recognizes that riparian areas can be used for these and other activities if management practices are implemented that protect or restore natural functions.

This policy will:

1) Alert local, state, and federal land managers, owners, and users to EPA's concerns in the riparian area planning and management process

2) Assist the states in Region 10 with the implementation of riparian area protection or improvement in their management programs

3) Provide guidance to Region 10 personnel in the execution of EPA's responsibilities under the National Environmental Policy Act (NEPA)[2], the Clean Air Act[3], and the Clean Water Act.

DEFINITION

Riparian areas are zones that influence and are strongly influenced by an adjacent aquatic environment. They occur as complete ecosystems or as an ecotone between aquatic and terrestrial ecosystems, but have distinct vegetation and soil characteristics because of seasonally free and unbound soil moisture. These areas are associated with rivers, lakes, reservoirs, and intermittent, or perennial streams. They may also be adjacent to springs, seeps, wetlands, and ephemeral streams.

Topographic relief and presence of depositional soils most strongly influence the extent of water regimes and associated riparian zones. Thus, the boundary of a riparian area varies from site to site and must be determined for each specific location. Some riparian areas are defined as wetlands. Others are not, because they do not possess the necessary hydrologic water regime, a predominance of hydric soils, or a prevalence of hydrophytic vegetation as described in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands.

FUNCTIONS AND VALUES

Healthy riparian areas are critical to environmental quality. Their presence increases landscape and species diversity and productivity. Continuous interactions occur between riparian areas, aquatic, and terrestrial ecosystems through exchanges of energy, nutrients, and movement of plant and animal species. Specific functions resulting from these interactions vary considerably from area to area. Their value is relative to these functions, and the potential that they have to carry out these functions. Some of the functions include:

- Water quality protection and improvement
- Habitat for aquatic and terrestrial life
- Improved channel and bank stability
- Flood storage and desynchronization
- Groundwater recharge and discharge
- Sources of primary production (detritus) for streams
- Aesthetics

RIPARIAN MANAGEMENT POLICY

Review of Section 319 Projects and Proposals

EPA considers the protection, improvement, and restoration of riparian areas and the abatement of NPS pollution affecting riparian areas as a high priority for funding through Section 319 of the Clean Water Act. EPA will expect to see riparian areas addressed in all watershed improvement grant proposals. Attention will be focused on the condition of the riparian areas and the expected impact on riparian areas by treatment in the entire watershed.

Review of NEPA Documents and Natural Resource Management Plans

EPA will expect riparian areas to be addressed in environmental impact statements and program or project plans. EPA will consider functions and values in assessing riparian area project impacts. EPA will actively promote alternatives which reduce or minimize adverse environmental impacts to riparian areas. Recommended alternatives should protect, restore, or improve riparian area functions and values.

Protection of Designated Water Uses

EPA recognizes that healthy riparian areas are valuable and critical to the protection of designated water uses and meeting states' Water Quality Standards. EPA expects States and their Designated Management Agencies to recognize riparian functions and include degraded riparian areas when assessing water use impairments.

Monitoring of Riparian Areas

EPA believes riparian area monitoring should be a high priority for any NPS management program. Monitoring is critical for land managers to evaluate their success in meeting their objectives for improving and protecting riparian areas and water quality. When monitoring results indicate violations or other problems, adjustments can be made in the practices implemented on the riparian area and the entire watershed ("feedback loop"). EPA will actively promote environmental monitoring at a level consistent with the condition of the riparian area and the sensitivity of the designated water uses.

Public Education and Involvement in Riparian Areas

EPA will use reviews of Section 319 grant proposals, NEPA documents, program and project plans, conferences, prepared presentations, information exchanges, and distribution of written materials to increase the awareness of and responsibility for healthy riparian areas. EPA will also encourage and support efforts that directly involve people in local activities to protect, improve, and restore healthy riparian areas. The goal of these actions is to have a motivated, educated public who understand the value of and critical need for healthy riparian areas.

Site-Specific Prescriptions

EPA will encourage and support innovative solutions to site specific problems in riparian management.

LEGAL AUTHORITIES

[1] Clean Water Act (33 U.S.C. 466 et seq.) Section 101 (a):

> "The objective of this chapter is to restore and maintain the chemical, physical and biological integrity of the Nation's waters...
>
> > (7) It is the national policy that programs for the control of NPS of pollution be developed and implemented in an expeditious manner so as to enable the goals of this Act to be met through the control of both point and nonpoint sources of pollution."

[2] National Environmental Policy Act (42 U.S.C. s4321 et seq.) states in part:

> "The Congress authorizes and directs that, to the fullest extent possible...all agencies of the Federal Government shall...identify and develop methods and procedures...which will ensure that presently unquantified environmental amenities and values may be given appropriate consideration in the decision-making along with economic and technical considerations."

[3] Clean Air Act (Section 309) (42 U.S.C. 7609, Public Law 91-604 12(a), 84 Stat. 1709) requires:

> the EPA to review and comment in writing on the environmental impact of any matter relating to the duties and responsibilities granted pursuant to the Act or other provisions of the authority of the Administrator, contained in any: (1) legislation proposed by a Federal department or agency; (2) newly authorized Federal projects for construction and any major Federal action, or actions, other than a project for construction, to which Section 102(2)(C) of Public Law 91-190 applies; and (3) proposed regulations published by any department or agency of the Federal Government.

Dana A Rasmussen 3-12-91

Dana A. Rasmussen
Regional Administrator
EPA, Region 10

Date

[Tom Bell]

91 MAR 15 PM 2:41

840 Kimberly St.
Lander, WY 82520
March 12, 1991

Ms. Lois Cashell
Federal Energy Regulatory Commission
825 North Capitol St. N.E.
Washington, D. C. 20426

Dear Ms. Cashell:

I appreciate the extension of time for comments on the Altamont Draft Environmental Impact Statement (Docket No. CP90-1375-000).

GI56-1 May I first state that the Draft EIS is not adequate for the purposes for which it is intended. That purpose is to determine the real environmental differences between Altamont's proposed route through the South Pass Historic Area and the most preferable alternative identified by the Bureau of Land Management, namely the Jeffrey City route. Documentation and factual material on either route is so lacking that a reasonable comparison cannot be made.

GI56-2 Not only does the EIS not address the issues as required by the National Environmental Policy Act but it also does not adequately treat the significant impacts the pipeline, both in construction and afterward, will have on historic and cultural resources of the area. My feeling, shared by many others, is that the National Historic Preservation Act is also being effectively by-passed. I cite such statements as those made at pages 4M-4 through 4M-8, in conjunction with other statements made at the bottom of page 3L-13, pages 4L-1 and 2 and 4L-9, and at mid-page 6-27 and the first two paragraphs of page 6-28.

GI56-3 A Bureau of Land Management specialist, in commenting on the administrative draft, said, "The treatment of the proposed route's effects on cultural resources is not consistent with the alternatives. Obvious problems with the proposed route are downplayed or overlooked while the alternatives are only superficially analyzed."

GI56-4 The DEIS at page 4D-12 says, "The Lander Resources Management Plan identifies the South Pass Management Unit as an avoidance area for major utility systems in order to protect the historic and cultural values of the area. This (proposed) route would be in conflict with the Bureau of Land Management's plan and is, therefore, consdered a significant land use impact." GI56-5 However, a direct contradiction, and a statement that is patently untrue, is given at the top of the same page, i.e., "The general land use impacts for the South Pass Route Variations would be similar to those described for the proposed route." If we are talking about the South Pass route from about milepost 495

FERC - DOCKETED
MAR 15 1991

GI56-1 We disagree. In each resource area, the best information available was used to compare and contrast the proposed route and the various alternatives. The Bureau of Land Management's (BLM) letter of comment on the DEIS identifies the proposed route (with the FERC staff's proposed realignments) as the BLM preferred alternative. See letter of comment FA12 in the Comments/Responses Volume of the FEIS.

GI56-2 We disagree. All of the requirements of the National Environmental Policy Act have been met. Further, as lead Federal agency for the undertaking, we have the responsibility to implement Section 106 of the National Historic Preservation Act in accordance with 36 CFR 800. This process is well underway and proceeding, as reflected in the FEIS. See revised Chapter 4M.

GI56-3 This opinion, attributed to an unidentified "BLM specialist," is not reflected in the BLM's official comments on the DEIS. See letter of comment FA12 in the Comments/Responses Volume of the FEIS.

GI56-4 The quoted statement refers to the Route 28 Variation, not the proposed route. The South Pass Management Unit is not crossed by the proposed route.

GI56-5 Because general land uses (e.g., rangeland, dryland cultivated, irrigated cropland, etc.) would be similar along all of the routes studied, potential impacts would also be similar. The proposed route avoids all officially designated areas of national significance.

GI56-5 (cont.) to milepost 545, a distance of some 50 miles, there is not any way they are similar. It is the difference between going through the mountains, across streams and through miles of rock, and going across rolling hills and relatively flat terrain through typical Wyoming desert countryside; the difference between going through a nationally significant historic area, and going through just another piece of central Wyoming. Unless a citizen were acquainted with the areas in question, that person would not have any way of comparing.

GI56-6 Similarly, the impacts on threatened and endangered species is not adequately addressed. Treatment of both plant and animal species would be after-the-fact and without really knowing what exists and what would be impacted. FERC merely says that Altamont should "re-align its route (as necessary) to minimize disturbance of these species to the maximum extent practicable. . ." (page 4E-60). As a matter of fact, there isn't really that much "wiggle room" for a 100-foot right-of-way to be realigned through much of the South Pass area. There are too many historic and cultural sites concentrated in the area, not to mention such things as mineral locations.

In regard to cumulative impacts (of more than one pipeline penetrating the South Pass area), the DEIS (page 5-2) says, "Cumulative impact in the South Pass area along Altamont's proposed route is also an issue. Resources potentially sustaining significant cumulative impacts include land disturbance, vegetation, visual, and cultural. . . . Any new transmission or utility facilities proposed in this area would involve BLM-administered lands, and therefore be subject to environmental review (including cumulative impact assessment) at that

GI56-7 time. (My comment: Isn't it funny that FERC can run roughshod over BLM management guidelines now and not expect to do the same when the next pipeline comes along?) Without specific knowledge of projects planned for this area in the reasonably foreseeable future, any attempt to analyze potential cumulative impacts would be speculative."

GI56-8 We are no longer dealing in the realm of speculation. A news release in the Casper Star-Tribune, March 9, 1991, gives the lie to the last sentence of the statement above. The news release said the Altamont Company had "received requests to ship more than twice as much gas along its planned pipeline to Opal, Wyoming, as the line could handle." It goes on to say, "Despite the demand, Altamont is 'not at this time' (my emphasis) considering expanding the line." I question just how long it will be before Altamont, or another company, lays another pipeline alongside the first one.

GI56-9 The DEIS completely ignores the fact that the pipeline will cross the Lander Road (Cut-off) of the Oregon TRail in Section 8, T28N, R100W, and that it will cross the Continental Divide National Scenic Trail in Section 30, T28N, R101W. Neither is there mention of the fact that the Sweetwater River is on the national list of rivers named by the National Park Service and the American Rivers, Inc. as having a high potential for designation under the National Wild and Scenic Rivers Act.

GI56- We disagree that potential impact on threatened or endangered species has not been adequately addressed. All of the subject plant species are candidates for Federal listing. Appropriate studies of potentially suitable habitat would be conducted. It should also be noted that the U.S. Fish and Wildlife Service has agreed (by letter dated April 2, 1991) with the conclusion of our Biological Assessment that the Altamont project is not likely to adversely affect threatened or endangered species.

GI56-7 Comment noted. We disagree with this characterization of the cooperative relationship that exists between the FERC and BLM staffs. Please see pages 2 and 3 of BLM's letter of comment FA12 in the Comments/Responses Volume of the FEIS.

GI56-8 We disagree with commenter's conclusions, and are unwilling to engage in analyses based on speculation or media reports.

GI56-9 Neither the Lander nor the Slate Creek Cut-Off was specifically identified in the DEIS. Both have been acknowledged in the FEIS. See revised Chapters 3D, 3M and 4M.

Information available during preparation of the DEIS indicated that the route of the Continental Divide National Scenic Trail had not yet been precisely defined, although it was thought to cross Altamont's proposed route in the area north of the Sweetwater River (not south of the river as commenter indicates). Nevertheless, we believe that implementation of mitigation proposed and recommended in the FEIS (including Altamont's Construction and Rehabilitation Plan MP 511.0 to MP 540.8) would result in a low visual impact on the future trail.

The 1982 National Rivers Inventory cites a "Section 5A study" which found the Sweetwater River in the area of the proposed crossing "not qualified for inclusion in

GI56-9 (cont.) The pipeline would cross the river in Section 26, T28N, R101W. There is a concentration of historic and cultural sites within the general South Pass area which cannot be avoided by the proposed pipeline.

GI56-10 That brings us to the problem of mitigation. The DEIS only superficially addresses this problem for the South pass area. This is completely inadequate in view of the visual impact that the proposed pipeline would have. The DEIS tries to dismiss the area as already having an abandoned railroad bed, a highway, an AT&T cable right-of-way, and a powerline - as well as being "riddled with unimproved two-track roads." What it fails to mention is that all of these are only highly visible from a helicopter - the means by which the FERC engineers and the Altamont PR people saw and showed off the area to all their "guests." Get on the ground where most visitors and tourists will be and most of these man-made features are unobtrusive. One BLM land-use specialist has stated the case very well: "If all man-made intrusions had as little visual impact as the two-track roads in the South Pass area had, we would have many natural-appearing landscapes."

GI56-11 The visual impact of a 100-foot pipeline right-of-way across the whole South Pass area will not only be significant, it will be severe. A distinct new line, 100 feet wide, which contrasts greatly with the natural lines in the landscape would be superimposed across a broad area. That line would be of a color which would jarringly contrast with the natural vegetation on either side. It would be many years, possibly approaching a century, before native vegetation would be re-established.

GI56-12 The significance of this historic area is acknowledged by nearly everyone. Yet, the pipeline and a consequent utility corridor will so greatly diminish or destroy this area that it will be of no significance. GI56-13 A supplemental EIS on the proposed South Pass route and a viable alternative should clearly detail the impact of a pipeline on the existing historic and cultural resources. Once again, I request that such a supplemental EIS be done.

Sincerely,

Tom Bell

Tom Bell

cc National Trust for Historic Preservation

GI56-9 (cont.) [the] national system." This finding is reiterated in the National Park Services' December 1990 Status of Wild and Scenic River Studies Summary.

GI56-10 We disagree that the mitigation measures recommended are "inadequate," or that the South Pass area has been "superficially" addressed. However, public comments, cooperating agency suggestions and additional analysis have resulted in substantial changes to the DEIS. Please see changes in the FEIS.

As stated in the DEIS, field inspections were conducted both aerially and on the ground. See DEIS pages 4M-5 and 4M-6.

GI56-11 We disagree. Although construction between MP 511 and MP 541 would result in long-term visual impact (more than 3 years), we believe that this impact would be similar in appearance to other existing human disturbances in the area until restoration is completed. See revisions to Chapters 4B and 4L, as well as the new Appendix B-5.

GI56-12 We disagree with commenter's assertion that the proposed pipeline would "destroy" the South Pass area or render it insignificant. Further, Altamont has not proposed a new utility corridor and the BLM has not indicated any interest in designating a corridor in this area. Please see new material added to Chapter 5.

GI56-13 Thank you for your comment.

FEDERAL ENERGY REGULATORY COMMISSION
WASHINGTON, D.C. 20426

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